



**Petition Number:** 1607-DDP-24  
**Subject Site Address:** 2740 E 146<sup>th</sup> St  
**Petitioner:** ICT, LLC by Winter USA  
**Request:** Approval of a Detailed Development Plan amendment for the existing building (former Bagger Dave's Restaurant) on 0.87 acres +/-  
**Current Zoning:** SB-PD: Special Business/Planned Development District  
**Current Land Use:** Commercial  
**Approximate Acreage:** 0.87 acres +/-  
**Property History:** 1309-DP-11 (Bagger Dave's)  
**Exhibits:**  
1. Staff Report  
2. Location Map  
3. Detailed Development Plan  
4. Elevations  
**Staff Reviewer:** Matt Pleasant, Associate Planner

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### **PROCEDURAL**

Approval of a Development Plan must be granted if the submitted plan demonstrates compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

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### **PROJECT OVERVIEW**

The 0.87 acre+/- site is located on 2740 East 146<sup>th</sup> St (the former Bagger Dave's restaurant) (see **Exhibit 2**). The property is zoned the SB-PD: Special Business/Planned Development District. The request is for approval of a Detailed Development Plan (see **Exhibit 3**) for the renovation of the existing building. The proposed renovation includes removing 22' from the west side of the building to accommodate a single lane drive through and a pass through lane.

The petition was reviewed by the Technical Advisory Committee at its June 21, 2016, meeting.

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**DEVELOPMENT PLAN (Article 10.7(G) of the UDO):**

**The plans comply except for those items identified as outstanding below:**

- 1) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
- 2) Address and legal description of the property.
- 3) Boundary lines of the property including all dimensions.
- 4) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
- 5) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
- 6) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
- 7) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 8) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.

**Comment: Working with petitioner to ensure compliance.**

- 9) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.

**Comment: Working with petitioner to ensure compliance.**

- 10) Location and dimensions of all existing structures and paved areas.
- 11) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 12) Location of all Floodplain areas within the boundaries of the property.
- 13) Names of legal ditches and streams on or adjacent to the site.
- 14) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.

**Comment: Petitioner coordinating with the Public Works Department and utility providers.**

- 15) Identify buildings proposed for demolition.
- 16) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 17) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

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**DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):**

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:

18) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.

**Comment:** Please see District Standards comments herein.

19) Compliance with all applicable provisions of any Overlay District in which the real estate is located.

20) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:

a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.

b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.

c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

21) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.

**Comment:** Petitioner coordinating with the Public Works Department and utility providers.

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**DISTRICT STANDARDS (CHAPTER 4.22 AND 4.23 OF UDO)**

The plans comply with the **SB-PD: Special Business Planned Development District** standards except for those items identified as outstanding below:

22) Minimum Tract Requirement: 10 acres

23) Permitted Uses

**Comment:** Compliant per 83-SE-3

24) Minimum Road Frontage: 660'

25) Minimum Setback Lines:

a) Front: 60'

b) Rear: 20'

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**DEVELOPMENT STANDARDS (Chapter 6 of UDO)**

The plans comply, as applicable to a Detailed Development Plan, except for those items identified as outstanding below, that need addressed prior to approval:

26) Accessory Use and Building Standards (Article 6.1)

- a) Screening of Receptacles and Loading Areas (Article 6.1(H))  
**Comment: Compliant and referenced in Exhibit 3 (North Elevation)**
- 27) Architectural Standards (Article 6.3(F))
  - a) Mechanical Screening
  - b) Building Materials  
**Comment: Petitioner using same materials as existing structure**
  - c) Architectural Theme  
**Comment: Petitioner using the same architectural theme as existing building**
  - d) Four-Sided Architecture
  - e) Building Elevations  
**Comment: Compliant**
  - f) Gutters and Downspouts
  - g) Roof Design
  - h) Main Entrances
  - i) Windows
  - j) Awnings  
**Comment: Petitioner using the same awnings and replacing awnings on the West Elevation**
  - k) Gasoline Service Station Canopies
- 28) Building Standards (Article 6.4)
- 29) Fence Standards (Article 6.5)
- 30) Height Standards (Article 6.6)
- 31) Landscaping Standards (Article 6.8)
  - a) General Screening Standards (Article 6.8(H))  
**Comment: Working with petitioner to obtain landscaping plan to ensure compliance**
  - b) Minimum Lot Landscaping Requirements (Article 6.8(K))
  - c) Foundation Plantings (Article 6.8(L)): Plant materials shall be required intermittently (approximately every forty (40) feet) against long expanses (over eighty (80) feet) of Building Facades, fences, and other barriers to create a softening effect. Plant materials shall also be required along the Front Building Façade of all Buildings at a minimum ratio of one (1) shrub or ornamental tree per twelve (12) lineal feet.  
**Comment: Working with petitioner to obtain landscaping plan to ensure compliance**
  - d) External Street Frontage Landscaping
  - e) Buffer Yard Requirements
  - f) Interior Parking Area Landscaping  
**Comment: Working with petitioner to obtain landscaping plan to ensure compliance**
  - g) Perimeter Parking Area Landscaping
- 32) Lighting Standards (Article 6.9)
  - a) General lighting standards
  - b) Business standards  
**Comment: Comment: Working with petitioner to ensure compliance.**



33) Lot Standards (Article 6.10)

34) Outside Storage and Display (Article 6.12)

35) Outdoor Café and Eating Areas (Article 6.13)

36) Parking and Loading Standards (Article 6.14)

**Comment: Changing some parking structure. Still compliant with ADA.**

**Comment: Working with petitioner to ensure bicycle parking compliance (Article 6.14.H)**

37) Setback Standards (Article 6.16)

38) Sign Standards (Article 6.17)

**Comment: Any proposed sign(s) will require a sign permit and will be reviewed by the Department for compliance at that time.**

39) Vision Clearance Standards (Article 6.19)

40) Yard Standards (Article 6.21)

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#### **DESIGN STANDARDS (Chapter 8 of UDO)**

**The plans comply except for those items identified as outstanding below, that need addressed prior to approval:**

41) Easement Standards (Article 8.3)

**Comment: Petitioner coordinating with the Public Works Department and utility providers.**

42) Pedestrian Network Standards (Article 8.7)

**Comment: Petitioner coordinating with the Public Works Department.**

43) Street and Right-of-Way Standards (Article 8.9)

**Comment: Petitioner coordinating with the Public Works Department and utility providers.**

44) Surety Standards (Article 8.12)

**Comment: Petitioner coordinating with the Public Works Department and utility providers.**

45) Utility Standards (Article 8.13)

**Comment: Petitioner coordinating with the Public Works Department and utility providers.**

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#### **DEPARTMENT COMMENTS**

1) **Action: Hold a public hearing at the July 5<sup>th</sup>, 2016, Plan Commission meeting.**

2) The Petitioner will make any necessary revisions to the plans, as noted in this report as outstanding. The Economic and Community Development Department will confirm compliance prior to this item being placed on the next Plan Commission agenda.

3) If any Plan Commission member has questions prior to the public hearing, then please contact Matt Pleasant at 937-974-5096 or [mpleasant@westfield.in.gov](mailto:mpleasant@westfield.in.gov).